

# LAND RECLAMATION COMMISSION

STATE OF MISSOURI

P.O. BOX 176

JEFFERSON CITY, MISSOURI 65102

573-751-4041

## Permit To Engage in Surface Mining

LAND RECLAMATION COMMISSION

ISSUES TO

49 SAND & GRAVEL PRODUCTS

Pursuant to "The Land Reclamation Act," RSMo, 2001, and on conformity with the statements

In the application, a permit is hereby granted to engage in surface mining of  
sand & gravel in the state of Missouri. The extent of the

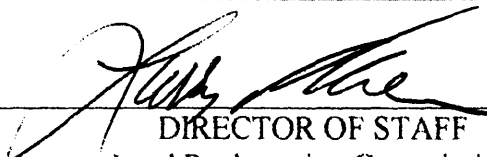
Proposed mining operation(s) will be on eight acres, more or less.

The locations of the operation(s) under this permit is/are as follows: Renewal

| County | Section | Township | Range | Acres<br>Renewed | Acres<br>New | Total<br>Acres | Site/Stream<br>Name | Site<br>Number |
|--------|---------|----------|-------|------------------|--------------|----------------|---------------------|----------------|
| Wayne  | 26      | 28N      | 03E   | 8                | 0            | 8              | Pit #1              | 1881           |
|        |         |          |       |                  |              |                |                     |                |
|        |         |          |       |                  |              |                |                     |                |
|        |         |          |       |                  |              |                |                     |                |

This permit may be suspended or revoked upon violation of any or all of the conditions set forth in "The Land Reclamation Act," RSMo. 2001, or in such rules and regulations as are promulgated pursuant thereto by the Land Reclamation Commission.

IN WITNESS WHEREOF I have hereunto set my hand this 30th day of August 2004

  
\_\_\_\_\_  
DIRECTOR OF STAFF  
Land Reclamation Commission

Permit No. 0880  
Effective Date 08/30/2004  
Expiration Date 08/29/2005

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MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION  
**PERMIT RENEWAL FOR INDUSTRIAL MINERAL MINES**

AUG 17 2004

P.O. BOX 176  
JEFFERSON CITY, MO 65102-0176

|   |  |                                      |   |                          |
|---|--|--------------------------------------|---|--------------------------|
| NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL<br><b>49 SAND + GRAVEL PRODUCTS</b> |  | MISSOURI LAND RECLAMATION COMMISSION |   | DATE<br><b>6-19-04</b>   |
| ADDRESS<br><b>RT3 P.O. Box 141 Piedmont MO 63957</b>  |  | CITY<br><b>Leeper, MO</b>            | STATE<br><b>MO</b>                      | ZIP CODE<br><b>63957</b> |
| CONTACT PERSON<br><b>John T Webb</b>  |  |                                      | TELEPHONE NUMBER<br><b>573-223-7000</b> |                          |

**FEES: COMPLETE SECTION I OR SECTION II****SECTION I. Fees: Open pit operators and those mining more than 5,000 tons of sand and/or gravel:****1. To compute the site fee complete the information below:**

| SITE NAME OR NUMBER<br>(add a separate sheet for additional sites) | Mark each month that the site will be operated during the permit year | For sites operated less than six months per permit year pay \$150<br>For sites operated six months or more per permit year pay \$300 |
|--|---|--|
| 1. <b>1881 8 Acres Leeper, MO</b>                                  | Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec            | \$ <b>500.00</b>   |
| 2.   | Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec            | \$ <b>150.00 owed</b>  |
| 3.   | Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec            | \$ <b>Credit carrying</b>  |
| 4.   | Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec            | \$   |
| 5.   | Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec            | \$   |
| 6.   | Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec            | \$   |
| 7.   | Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec            | \$   |
| 8.   | Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec            | \$   |
| 9.   | Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec            | \$   |
| 10.  | Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec            | \$   |
| TOTAL SITE FEE   |   | \$   |

2. Acreage Fee \$5 X **9** number of acres bonded ..... \$ **40.00**

3. Annual Permit Fee ..... \$ **500**

4. Total Fee (Add totals from 1, 2 and 3) ..... \$

NOTE: If Total Fee exceeds \$2,500.00 then pay only ..... \$ **2,500**

**SECTION II. FEES: Sand or gravel operators mining less than 5,000 tons per year:**

1. Annual Permit Fee ..... \$ **300**

|  |  |   |  |
|--|--|---|--|
| SIGNATURE OF APPLICANT<br><b>John T Webb</b>   |  | TITLE                                   | DATE   |
| Appeared before me this <b>21<sup>st</sup></b> day of <b>June</b> , 20 <b>04</b> , <b>John T. Webb</b><br>to me personally known, who executed the above as their free acts and deeds. |  |   |  |
| NOTARY PUBLIC EMBOSSEER SEAL   | STATE OF<br><b>Missouri</b>  |   | COUNTY (OR CITY OF ST. LOUIS)<br><b>Wayne</b>  |
|  | SUBSCRIBED AND SWORN BEFORE ME, THIS<br><b>21<sup>st</sup></b> DAY OF <b>June</b> YEAR <b>2004</b> |   | USE RUBBER STAMP IN CLEAR AREA BELOW.  |
|  | NOTARY PUBLIC SIGNATURE<br><b>Cheryl Wescott</b>   | MY COMMISSION EXPIRES<br><b>4-21-07</b> | <b>Cheryl Wescott</b><br>Notary Public - Notary Seal<br>State of Missouri<br>Wayne County<br>My Commission Expires: April 21, 2007 |
|  | NOTARY PUBLIC NAME (TYPED OR PRINTED)<br><b>Cheryl Wescott</b>                                     |   |  |
| FOR DEPARTMENT USE ONLY: APPROVED BY<br><b>[Signature]</b>   | DATE APPROVED<br><b>8-30-04</b>  | PERMIT NUMBER<br><b>0080</b>            | EXPIRATION DATE<br><b>8-29-05</b>  |



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LAND RECLAMATION COMMISSION  
SITE INFORMATION FORM

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To be completed for each separate area of disturbance associated with mining operations.

MISSOURI LAND  
RECLAMATION COMMISSION

SITE NAME OR NUMBER

Pit #1

PERMIT NUMBER

08800

COMPANY NAME

49 Sand and Gravel Products

COUNTY

Wayne

1/4 SECTION

SW ; E 1/2

SECTION

26 ; 27

TOWNSHIP

28 N

RANGE

R 3 E

ACRES

40.16

RIVER OR STREAM NAME (FOR IN-STREAM ACRES)

N/A

MINERAL COMMODITY

Sand & Gravel

ESTIMATED TONS/YEAR (FOR GRAVEL SITES)

5000 +

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE)

John T. Webb

ADDRESS

P. O. Box 141

CITY

Piedmont

STATE

MO

ZIP CODE

63957

SOURCE OF RIGHT TO MINE (CHECK ONE):

☐ MINERAL DEED

☐ LEASE

☒ WARRANTY DEED

☐ VERBAL AGREEMENT

☐ OTHER (DESCRIBE):

DATE OF AGREEMENT

N/A

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE)

See Above / Land Owner

ADDRESS

CITY

STATE

ZIP CODE

SOURCE OF RIGHT TO MINE (CHECK ONE):

☐ MINERAL DEED

☐ LEASE

☐ WARRANTY DEED

☐ VERBAL AGREEMENT

☐ OTHER (DESCRIBE):

DATE OF AGREEMENT

**NOTE:** Each site must be shown on a map and be included in a public notice and an approved mine plan.



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION  
MINE PLAN

P.O. BOX 176  
JEFFERSON CITY, MO 65102

TYPE OF PLAN (CHECK ONE):

☐ SHORT TERM, FOR ONE PERMIT YEAR

☒ LONG TERM, FOR PERIOD THROUGH DATE:

COMPANY NAME

49 Sand and Gravel Products

7-26-2050

7-26-2050

DESCRIPTION OF SITE PRIOR TO LAND RECLAMATION COMMISSION PERMITTING (BY APPLICANT OR PRIOR OPERATOR), INCLUDING SOIL, VEGETATION AND TOPOGRAPHY.

Pit No 1

Thin sandy silt cover over layers of sand and gravel covered with weeds, grass and some trees and brush. Lays fairly flat with terraces, draws etc giving differences in elevation.

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OPERATION PLAN - 10 CSR 40-10.020(2)(D)1.

A. TOPSOIL

AVERAGE DEPTH OF TOPSOIL, PRIOR TO LAND RECLAMATION COMMISSION PERMITTING

0-12

INCHES

IS TOPSOIL TO BE SOLD OR DISCARDED OFFSITE?

☐ YES OR ☒ NO

DESCRIBE METHODS AND EQUIPMENT USED FOR TOPSOIL REMOVAL

Clear any trees with loader/dozer, use a small scraper to remove topsoil and subsoil to a total depth of 12".

DESCRIBE METHODS AND EQUIPMENT USED FOR TOPSOIL STORAGE AND PROTECTION

stock pile topsoil and subsoil on site near the pit area. Stockpile to be shaped and seeded with grass.

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PAGE 1 C

**SPOIL**

DESCRIBE METHODS AND LOCATION OF SPOIL PLACEMENT AND DISPOSAL

*No spoil anticipated***RECEIVED****APR 16 2001****MISSOURI LAND  
RECLAMATION COMMISSION****C. ACID MATERIALS**

DESCRIBE METHODS AND EQUIPMENT USED FOR HANDLING ACID MATERIALS (IF NONE IS ANTICIPATED, WRITE "NONE" BELOW)

*N/A***D. PIT INFORMATION (GIVE ALL DIMENSIONS IN FEET)**

DESCRIBE LOCATION AND ORIENTATION OF PIT, IF NOT CLEAR ON SITE MAPS

*See Site Maps***YES NO**☐ ☒ Will any excavation be at or within fifty feet (50') of the right-of-way of any public road?☐ ☒ Will any highwall consisting of unconsolidated materials be left within fifty feet of the right-of-way of any public road? (NOTE: For unconsolidated materials left in place, a slope of no more than forty degrees may start near the right of way, and in no case may the excavation be closer to the right of way than fifty feet or twenty-five feet plus one and one-half (1-½) times the depth of unconsolidated material, whichever is greater, unless a variance is granted by the Commission.)☐ ☒ Will any excavation start at or within fifty feet (50') of any property line?  
(NOTE: If the answer is "yes", a safety barrier may be needed.)

# RECLAMATION PLAN - 10 CSR 40-10.020(2)(D)2.

## REVEGETATION (Attach additional sheets, if needed)

REVEGETATION MIX #1

PURPOSE OR LAND USE

B. SEEDING OR PLANTING TIME

Pasture Mix

Pasture/Wildlife

Spring/fall

DESCRIBE METHODS AND EQUIPMENT TO BE USED FOR SEEDING OR PLANTING

During The first spring/fall following topsoil replacement the seed mixture shall be broadcast and harrowed.

Lime and fertilizer will be applied according to recommendations made, based on an analysis of soil texture and nutrients. Mulch will be applied to all slopes exceeding 5:1.

| SEEDED SPECIES | POUNDS/ACRE | TREE OR SHRUB SPECIES | STEMS/ACRE |
|----------------|-------------|-----------------------|------------|
| Orchard grass  | 5           |                       |            |
| Lespedeza      | 15          |                       |            |
| Red Clover     | 8           |                       |            |

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REVEGETATION MIX #2

PURPOSE OR LAND USE

B. SEEDING OR PLANTING TIME

N/A

DESCRIBE METHODS AND EQUIPMENT TO BE USED FOR SEEDING OR PLANTING

Lime and fertilizer will be applied according to recommendations made, based on an analysis of soil texture and nutrients. Mulch will be applied to all slopes exceeding 5:1.

| SEEDED SPECIES | POUNDS/ACRE | TREE OR SHRUB SPECIES | STEMS/ACRE |
|----------------|-------------|-----------------------|------------|
|                |             |                       |            |
|                |             |                       |            |
|                |             |                       |            |
|                |             |                       |            |

ATTACH ADDITIONAL SHEETS FOR ADDITIONAL SEED MIXES.

# GRADING

DESCRIBE PROPOSED RECLAIMED TOPOGRAPHY, INCLUDING SLOPES

All spoil areas will be graded to slopes traversable by farm machinery (3:1 max). A lake will be constructed in final pit areas below the water table.

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## C. DESCRIBE THE GENERAL SEQUENCE AND TIMING OF THE FOLLOWING ACTIVITIES

### GRADING

Grading will be done in accordance with 10 CSR 40 - 10.050 (10) A 12 months after expiration of permit

### REPLACEMENT OF TOPSOIL

Top soil will be replaced to a uniform depth of 12 inches within one year of permit expiration

### REVEGETATION

Topsoil areas will be seeded during the first optimum seeding period.

### AVERAGE DEPTH OF REPLACED TOPSOIL (INCHES)

A Horizon (3 inches) + B Horizon (9 inches) = 12 inches

## D. USE OF LAND WHEN RECLAIMED

Estimate acreage of each land use below, after reclamation

ESTIMATED ACRES:

Wildlife (forest or other habitat with livestock excluded)

5

Agricultural (pasture, cropland, and horticultural)

20

Development (residential, industrial, and recreational)

Water impoundments (for wildlife, agricultural, or development)

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By my signature, I attest to the following:

1. All statements made on this Mine Plan Form are correct, complete, and true, to the best of my knowledge.
2. I or the company I am authorized to represent intend(s) to mine in accordance with this Mine Plan Form, and in accordance with the Missouri Land Reclamation Act, Sections 444.760 through 444.789, RSMo and all rules, regulations, orders, decisions and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operations.
3. I have obtained the approval of all landowner's for all proposed post-reclamation land uses.
4. I have a valid agreement with all landowners which gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and his authorized representatives, and I grant such access, and further where I have no such right, I have attached signed affidavits from the landowners, granting such access.

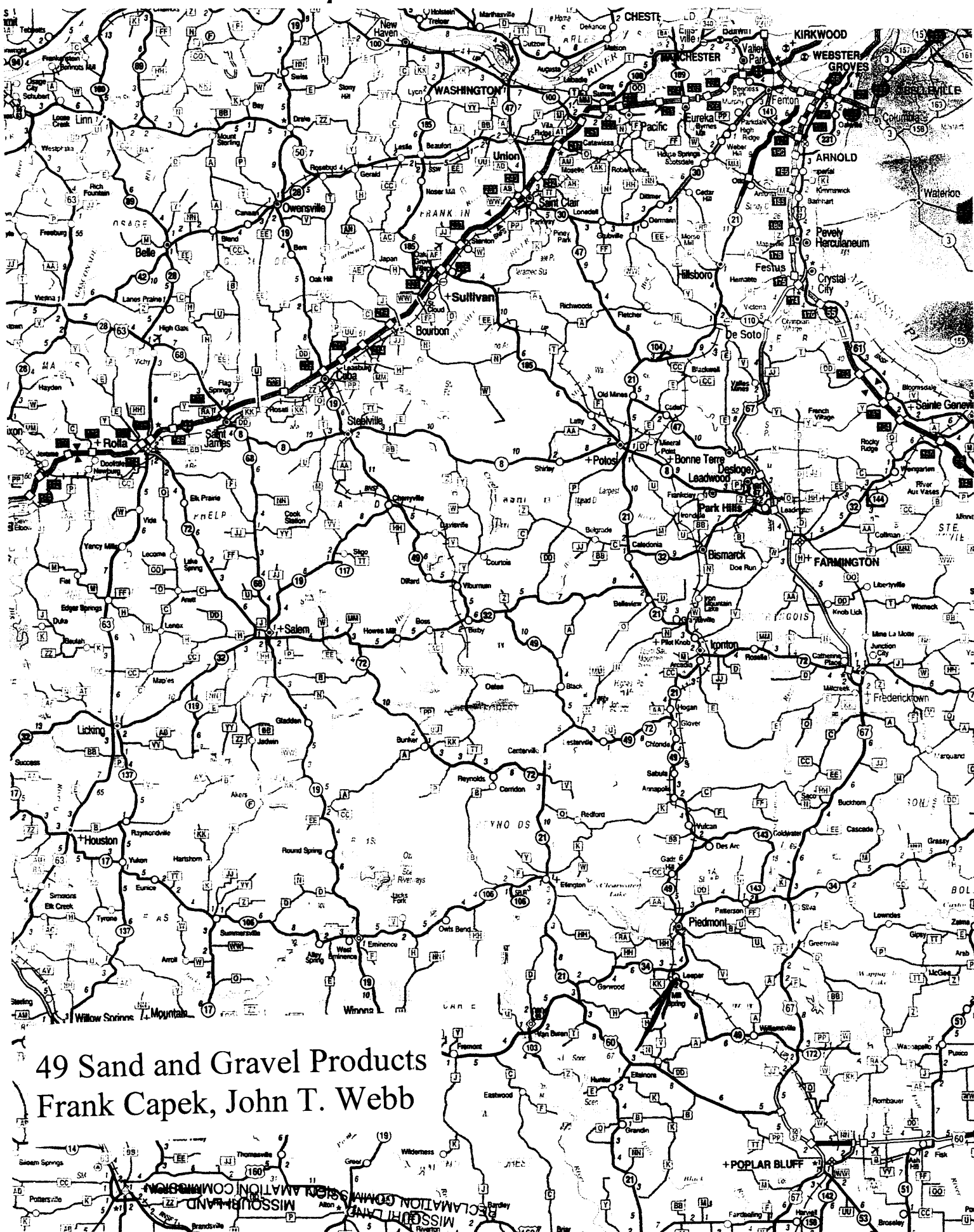
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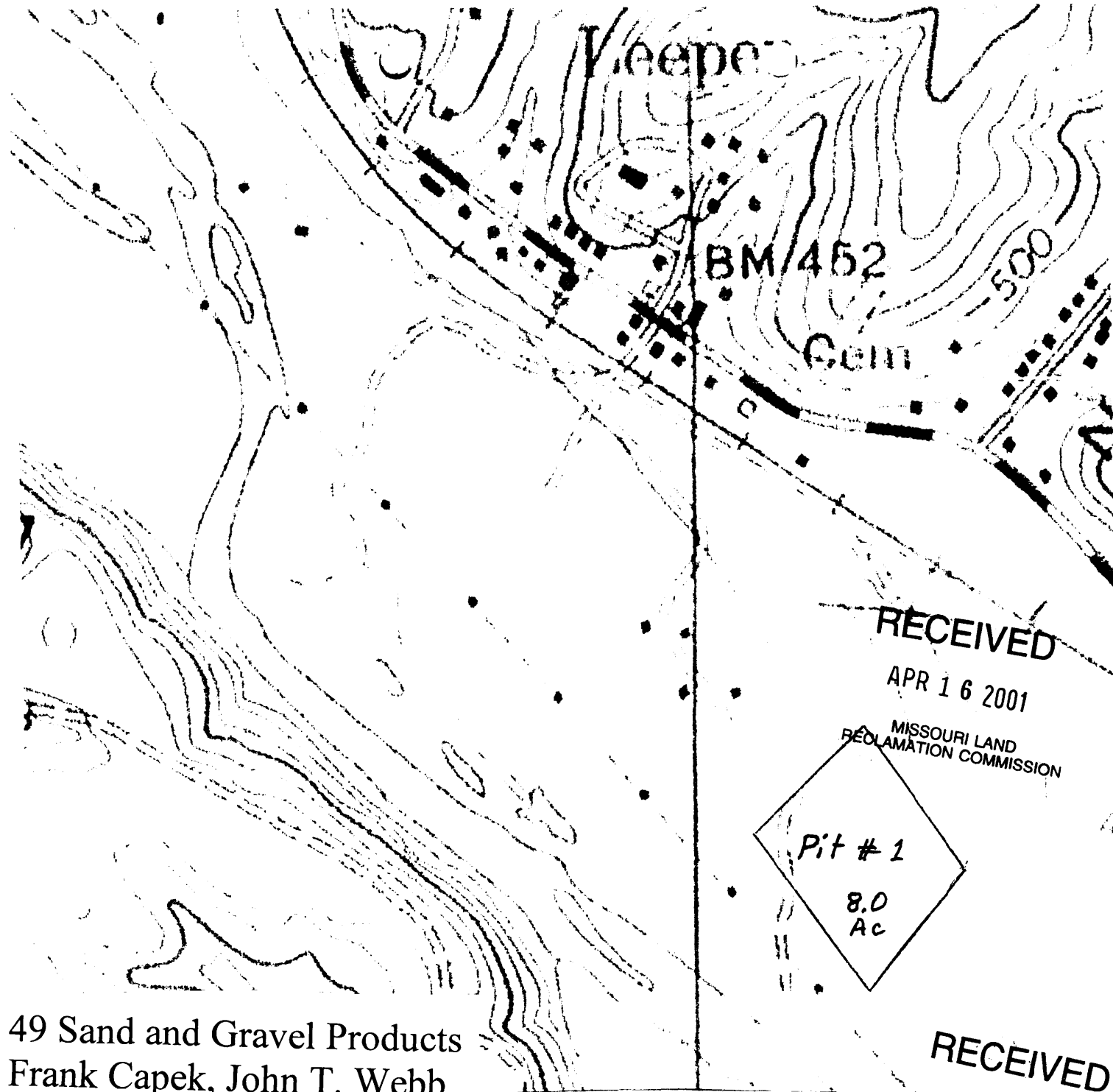
|   |  |   |   |
|---|--|---|---|
| SIGNATURE OF APPLICANT<br><i>John T. Webb</i>                 |  | TITLE<br><b>OWNER</b>                         | DATE<br><b>4-12-01</b>  |
| NOTARY PUBLIC EMBOSSEY SEAL                                   | STATE<br><b>Missouri</b>   | COUNTY (OR CITY OF ST. LOUIS)<br><b>Wayne</b> |   |
|   | SUBSCRIBED AND SWORN BEFORE ME, THIS<br><b>12<sup>th</sup></b> DAY OF <b>April</b> <b>2001</b> |   | USE RUBBER STAMP IN CLEAR AREA BELOW<br><b>E. ELLEN ROSS</b><br>Notary Public - Notary Seal<br>State of Missouri<br>County of Wayne<br>My Commission Expires 01/20/2004 |
|   | NOTARY PUBLIC SIGNATURE<br><b>E. Ellen Ross</b>  | MY COMMISSION EXPIRES<br><b>1-20-04</b>       |   |
|   | NOTARY PUBLIC NAME (TYPED OR PRINTED)<br><b>E. Ellen Ross</b>                                  |   |   |
| APPROVED BY (DIRECTOR'S REPRESENTATIVE)<br><i>[Signature]</i> |  | DATE APPROVED<br><b>7/31/01</b>               | PERMIT NUMBER<br><b>0880</b>  |





49 Sand and Gravel Products  
Frank Capek, John T. Webb

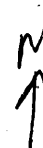
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JUL 16 2001



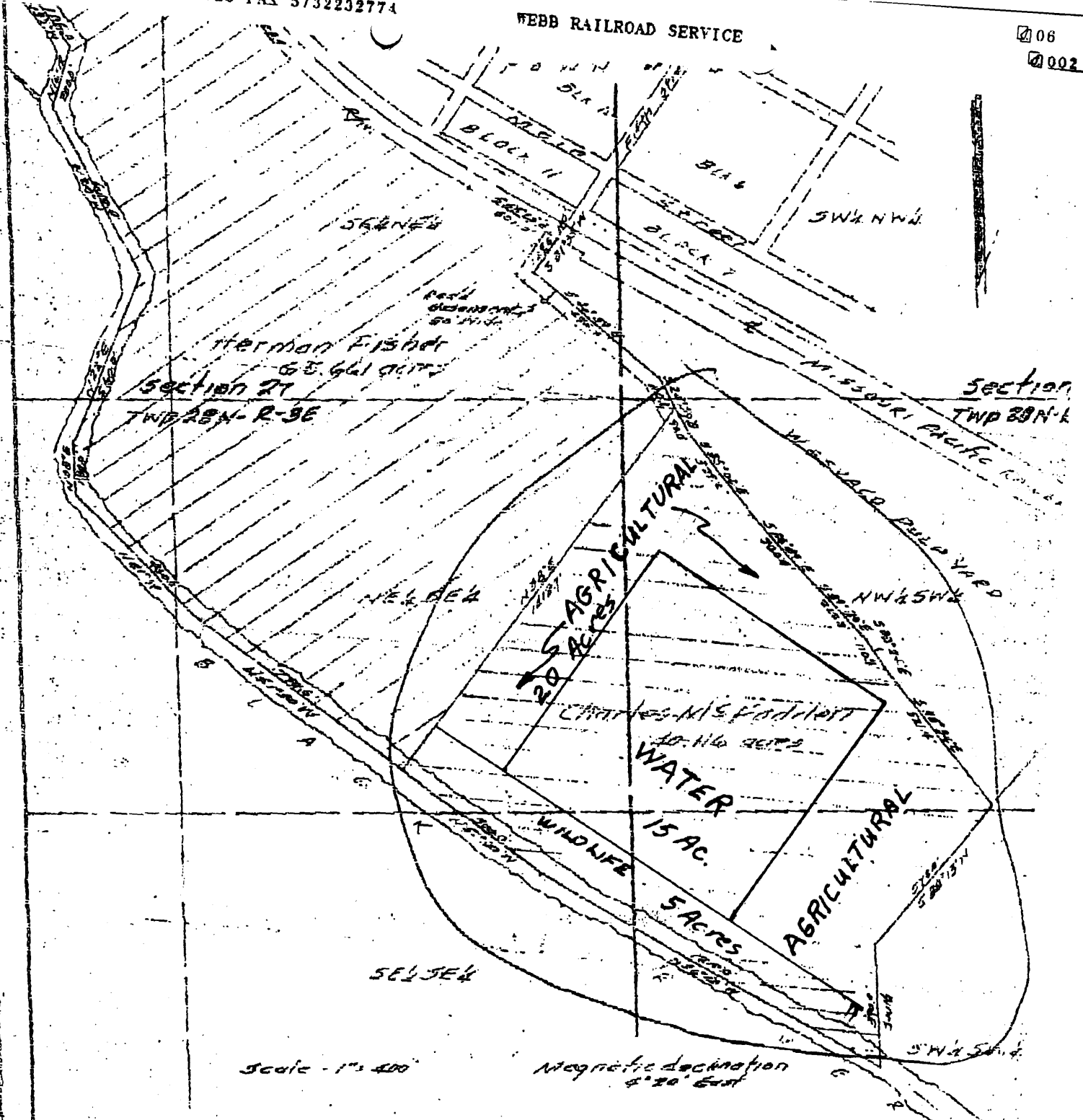
49 Sand and Gravel Products  
Frank Capek, John T. Webb

DESCRIPTION: 8.0 ACRES

ALL OF THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 28 NORTH, RANGE 3 EAST OF THE FIFTH PRINCIPAL MERIDIAN, WAYNE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS:  
FROM THE SOUTHEAST CORNER OF BLOCK ELEVEN IN THE TOWN OF LEEPER, MISSOURI, MEASURE S 33°16' W (RECORD S 31°35' W) A DISTANCE OF 239.5 FEET; THENCE, S 44°58' E (RECORD S 46°39' E) A DISTANCE OF 495.5 FEET; THENCE, S 23°18' E (RECORD S 24°59' E) A DISTANCE OF 210.6 FEET (RECORD 200.6 FEET) TO A 1 1/2" X 1 1/2" ANGLE IRON; THENCE, S 33°19' E (RECORD S 35°02' E) A DISTANCE OF 319.2 FEET; (RECORD 329.0 FEET) THENCE, S 35°08' E (RECORD S 36°49' E) A DISTANCE OF 260.4 FEET; THENCE, S 31°49' E (RECORD S 39°30' E) A DISTANCE OF 222.7 FEET TO THE POINT OF BEGINNING; THENCE, S 31°43' E (RECORD S 33°24' E) A DISTANCE OF 110.9 FEET; THENCE, S 33°53' E (RECORD S 35°34' E) A DISTANCE OF 521.4 FEET TO A 2" X 2" ANGLE IRON; THENCE, S 39°54' W (RECORD S 38°13' W) A DISTANCE OF 540.0 FEET; THENCE, N 34°30' W A DISTANCE OF 696.2 FEET; THENCE, N 46°51' E A DISTANCE OF 538.9 FEET TO THE POINT OF BEGINNING AND CONTAINING 8.0 ACRES. SUBJECT TO EASEMENTS AND



1" = 500'



I, Curtis B. Crites, a Registered Land Surveyor in the State of Missouri, hereby certify that I made a survey of a part of the East half of Section 27 and a part of the West half of Section 28, Township 28 North, Range 3 East in Wayne County, Missouri, and that the result of said survey is correctly shown on the above plat.

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*Curtis B. Crites*  
R.L.S. #970  
November 14, 1970

Sheet 1 of 2 sheets  
for land description

9 Sand and Gravel Products  
Frank Capek, John T. Webb